

Appl. No. 10/772,829  
Amdt. dated October 8, 2009  
Reply to Office Action of November 13, 2008

### Remarks

The present amendment responds to the Official Action dated June 8, 2009. A petition for a one extension of time and authorization to charge our credit card the fee for that extension are enclosed. That Official Action rejected claims 1 and 3-16 under 35 U.S.C. 103(a) based on Cohen U.S. Patent No. 6,560,576 (Cohen) in view of Comerford U.S. Patent No. 6,748,361 (Comerford). Claims 1, 6, 11, 13 and 14 have been amended to be more clear and distinct. New claims 17-21 have been added. Claim 2 has been previously canceled without prejudice. Claims 1 and 3-21 are presently pending.

### The Art Rejections

All of the claims were rejected based on Cohen taken in combination with Comerford. As addressed in greater detail below, Cohen and Comerford do not support the Official Action's reading of them and the rejections based thereupon should be reconsidered and withdrawn. Further, the Applicants do not acquiesce in the analysis of Cohen and Comerford made by the Official Action and respectfully traverse the Official Action's analysis underlying its rejections.

At pages 4 and 5 of the Official Action mailed June 8, 2009, the Examiner states Cohen discloses "a user information database (usage history) storing user records including a function usage fully (sic--tally) indicating the number of times the user has successfully performed the function" citing Cohen's count of the "number of times the user has used the browser to request any type of content" as disclosed at Cohen, col. 8, lines 11-15, 22, 23, 52 and 53.

At page 7, lines 4-12, an exemplary embodiment of the present invention includes a user information database 130 with a usage history for each user including a tally on a function by

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function basis for the "voice dialing module" and "voicemail module" . This usage history is shown organized by module and the user prompts may also be similarly organized by module as further discussed at page 7, line 13-page 8, line 17. By contrast, the browser of Cohen appears to be the overall system or a module, but not a function within one of multiple modules.

With tracking use of the overall system or a module, as opposed to a function, such as, call menu access, a user may either get a too detailed and long prompt when lack of familiarity with the function is equated with a lack of overall familiarity, or, if expertise with the system or a module is equated with functional expertise, then too short prompts lacking sufficient detail may be presented when the user is using an unfamiliar function, such as call menu access. It is believed that the ability to advantageously distinguish such situations is not met by the relied upon art and if such distinctions were not clearly enough claimed previously that they now have been.

The amendments to claims 1 and 11 address "a plurality of modules comprising at least a voice dialing module and a voicemail module . . . each of the plurality of modules including multiple functions" and a "user information database storing user records including a function usage tally indicating the number of times the user has successfully performed each function" and "a prompt selection module for obtaining function usage tally information for an active function . . ." This approach as discussed at page 2, lines 6-9 allows prompts to be tailored at a function level to the user with abbreviated prompts for users with greater experience levels with the function as further discussed at length at page 6, line 15-page 8, line 34.

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By contrast, the "voice browser" of Cohen is stated to be "one example of a voice-enabled application" at col. 2, lines 39-41. A usage history for a user of the voice browser appears to correspond to a tally regarding overall use of the system or possibly a module, but not functions within modules as claimed.

To sum up, Cohen does not teach and does not make obvious the claims as presently amended. The thrust of Comerford appears to be to provide a time based prompt system. See, col. 21, lines 55-65 and col. 22, lines 40-47. Further, while Comerford uses the word feature, it appears that dictation is one module and that Comerford does not suggest evaluation of any functions within dictation. It will be recognized that dictation applications are often complex. They present a perfect example of illustrating how the present invention can be advantageous. While Comerford simply appears to count the times the user uses dictation, the present invention would keep track of uses of functions therein so that the expert in dictation, but not expert in a particular function therein gets the detailed prompt needed, as opposed to the abbreviated prompt provided the expert user.

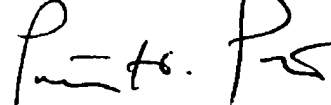
Presenting prompts tailored to the active function being performed, and favoring more abbreviated prompts for experienced users of those functions, as claimed by claims 1 and 11, allows for a more efficient prompt presentation to experienced users who are navigating a function. Claims 1 and 11, therefore define over Cohen and Comerford, and should be allowed.

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Conclusion

All of the presently pending claims, as amended, appearing to define over the applied references, withdrawal of the present rejection and prompt allowance are requested.

Respectfully submitted,



Peter H. Priest  
Reg. No. 30,210  
Priest & Goldstein, PLLC  
5015 Southpark Drive, Suite 230  
Durham, NC 27713-7736  
(919) 806-1600